

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- against-

ANDREY KUKUSHKIN, *et al.*,

Defendants.

S3 19 Cr. 725 (JPO)

ADDENDUM

March 1, 2022

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Letter of Felix and Diana Kukushkin

Felix L Kukushkin
Diana Kukushkin


The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken,

I am writing this letter on behalf of myself and my wife.

We are the parents of Andrey and, for the last 2 years and 6 months, live in a state of shock, shame, disbelief, and disappointment. Nothing in Andrey's upbringing can be attributed to the crime he was found guilty of.

He grew up in a family where strict moral values were not just words but the rules that guided him to know the difference between good and evil. The law of the land was: If you screwed up, admit it and face the consequences. Any other course of action was considered deception, which only worsened the consequences in the long run. That's how he was brought up, and we believe that that's how he felt when he pled "not guilty" in your court.

We stood behind him all that terrible time of uncertainty from his indictment until the jury verdict that left us heartbroken.

We spent sleepless days and nights hoping against hope, believing that he might be acquitted. They say the Lord answers all prayers. It's just that sometimes his answer is "no." He replied "no" to ours.

Your Honor, Andrey is our firstborn; he grew up surrounded with love, care, and engraved realization that if an act deliberately and needlessly impinges upon someone else's rights, then that act is wrong. And he should have avoided it.

Murder, robbery, assault, all violent crimes fit into this category. These activities are "evil in themselves." Andrey's character has a clear built-in rejection of these. However, he undoubtedly fell short in the "evil because it is prohibited" category.

While he is naturally immune against committing violence, the restraint against non-violent and yet prohibited acts requires a measure of maturity, respect for authority, and, most importantly, knowledge of what exactly is not allowed.

Andrey is a good person with a big and generous heart. He is loved and respected by his friends, co-workers, his family. He is a trusting person whose occasional misjudgment of the people's true intentions cost him dearly.

He's a loyal friend, and he's a lot of fun to be around. But he is also one of those guys born with no peripheral vision. When focused on a specific goal, he can see everything that's in front of him, see it more clearly than most, but if something is an inch to the left or right, he doesn't even know it's there. And that can lead to trouble for him and anyone nearby.

Andrey is a linchpin of our extended family. His younger brother and his three nieces worship him. His [REDACTED] stepdaughter depend on Andrey's being around, especially at their vulnerable age.

Andrey is returning all the love and care given to him back to his parents when it's most needed. [REDACTED] he dropped a successful career in a prominent investment bank and returned home to support me without a moment's hesitation.

[REDACTED]

[REDACTED]

[REDACTED]

Your Honor, we are devastated by what happened. Andrey and all of us are ashamed and take complete responsibility for his actions.

Our family escaped the Soviet Union in 1993 and moved to the USA, hoping for a brighter future for our family. Our life in San Francisco was close to perfect until this terrible event destroyed everything, we worked for most of our lives. My wife and I spent all of our modest savings on legal expenses.

I am writing this letter [REDACTED]

[REDACTED]

[REDACTED] Our younger son has his hands full with three children and a newborn.

Our only hope is that Andrey could help us physically, emotionally and if he is ever able, financially. His teenage son and his stepdaughter need their father by their side at this most challenging stage of their lives.

We respectfully ask Your Honor for leniency when deciding the fate of our son. Our small family has no one else that can help us in this hour of need.

Andrey made a colossal mistake, and yet he is irreplaceable in providing physical, emotional and financial support to me, my wife and his kids.

Your Honor, we assure you that Andrey has already suffered terribly, and he learned his lesson. It will never happen again and society won't regret letting him stay out of jail, redeem himself and contribute to the community.

With greatest respect,

Felix L. Kukushkin

Letter of Svitlana Shcherbakova

To: The Honorable J. Paul Oetken United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse 500 Pearl Street
New York, NY 10007-1312

RE: ANDREY KUKUSHKIN

Dear Judge Oetken,

My name is Svitlana (Lana) Shcherbakova. I am Andrey Kukushkin's fiancée. I am an actress and director. I met Andrey over twenty years ago in our hometown of Odessa, Ukraine and we have been close friends since. Three years ago, after my divorce, we fell in love. We finally realized that we were meant for each other all this time and it was mainly because of him that I decided to move to San Francisco with my 5-year-old daughter.

Your Honor, respecting the court's decision, I wanted to tell you more about Andrey Kukushkin as a person because sending Andrey to prison will be a serious blow to the entire Jewish and Russian-speaking community of Bay Area. For many immigrants, he provides invaluable support in their adaptation in this country.
And it is very important for me to bring this to the court.

Andrey is the kindest, most sympathetic and sensitive person I have ever met in my life. He repeatedly helped people whom I know personally at the initial stage after they moved to America: he provided Leo, Sergey, Zhan on in his apartment free of charge until people found their first job. He supported them morally, explained how education and medicine worked in the States. He helped the son of one of his friends find a college to his liking and fill out an application for admission.

Andrey taught tennis lessons and some of his students, including Julia, were admitted to Ivy League UPenn in Pensilvania on a scholarship, thanks to their merits in tennis. Andrey's latest tennis student is my 8 year old daughter-she dreams of entering Stanford University, thanks to training with Andrey.

Andrey loves children very much and became a wonderful father not only for his own son [REDACTED], but also for my daughter [REDACTED]. In addition to teaching her tennis he also taught her how to ski. [REDACTED] fell in love with Andrey with all her heart and perceives him as her father. She barely recovered from parting with her father, and the prospect of losing Andrey now will be a real trauma for her. In addition, without his help, I will not be able to cope alone with a child in immigration and will be forced to return to Ukraine, where there is a war going on now.

Andrei emotionally supported me after a difficult divorce from my ex-husband, providing me with care and all possible assistance in moving and adapting to the United States. He is sincerely in love with this country, with the kind and liberal San Francisco, and told me a lot of amazing and beautiful things about the USA, which inspired me to move here - to the country of justice and equal opportunities. Andrei respects and considers it important to know American history and is my guide to the cultural characteristics and traditions of the American people.

Your honor, Andrey was brought up in the Jewish traditions of family values and is an exemplary example of support and core for our entire large family.

First of all, this concerns his son [REDACTED], for whom Andrey is an example of pride and imitation, especially important for a [REDACTED] teenager. Andrey has been raising him since childhood as a respectable citizen and they are very close. [REDACTED] mother lives in England, and [REDACTED] is studying at a sports school in the USA and will not be able to fulfill his dream of studying in the USA without the support of his father.

[REDACTED]
[REDACTED] Andrey takes her to father [REDACTED], helps with cleaning the house, brings food and provides great moral support. Soon [REDACTED], and apart from Andrey, no one will

[REDACTED]
[REDACTED] Andrey is now the only help for mom and dad, since I don't speak English well, and his brother has four children, with whom Andrey also constantly helps.

Andrey always protects the weak and helps those in need. The community of immigrants from the USSR in San Francisco knows him and loves him with all his heart.

Your Honor, on behalf of Andrey's family, friends and the Russian Jewish community of the Bay Area, I ask you for leniency in sentencing Andrey Kukushkin. I hope that your heart is open and that you will see the good deeds that he did and does throughout his life.

Respectfully,

Svitlana Shcherbakova

[REDACTED]

Letter of Leo Volobrynskyy

11/15/2021

From: **Leonid (Leo) Volobrynskyy**

Labor Representative, California Nurses Association, San Jose CA.

Former Labor Representative, Unite Here, Local 2, San Francisco CA.

Recipient of the Mayor of San Francisco Good Samaritan Award "For meritorious conduct in saving a human life".

Recipient of the Certificate of Appreciation from the San Francisco Police Department

"In deepest gratitude for your performance of outstanding bravery in service to others at great personal risk"

Volunteer with San Francisco LGBT Asylum Project.

To: **The Honorable J. Paul Oetken**

United States District Judge

Southern District of New York

Daniel Patrick Moynihan United States Courthouse

500 Pearl Street

New York, NY 10007-1312

Re: **Andrey Kukushkin**

Your Honor, I write to you asking for mercy in Andrey's sentencing.

I owe my life to Andrey. As a gay man who grew up in Ukraine, Soviet Union, I was a constant subject of bullying and abuse. Andrey stood up for me as a kid and a young teen and saved me from violence countless times. Andrey (or Kunya, a nickname he had since school and is affectionately called by so many people who love him) is the eldest son of my parents' childhood friends and my neighbor growing up in Ukraine. We graduated from the same school. I've known him my whole life and view him as a brother, even though we are not related by blood.

Andrey saved my life again, when after years of tortured existence, that is still such for LGBTQ community in Ukraine, I moved to the United States and contemplated suicide. Andrey and his family immigrated some years before us. When we arrived in 2002, Andrey opened his San Francisco home to me and my parents, late in life immigrants in hopes and search of a safe haven. For months after my arrival to San Francisco I was deeply depressed, torn, confused, and lost in the new place, homesick, yet terrified of my old life back in Ukraine. I was contemplating taking my own life. Andrey's insight, sensitive and inquisitive heart caught the red flags. His patience, compassion and empathy saved me. He would sit with me from dusk till dawn night after night and listen, he would drag me out to show me the fabulous new world, San Francisco. I do not exaggerate — he saved my life.

I've built a great life for myself, and San Francisco has become a sweet home. In 2011 I was honored by the city of San Francisco Mayor, Police Department and Fire Department for saving a man out of a burning car that crashed before my eyes. In 2012 I broke up a terrible gay bashing in the Tenderloin District of San Francisco, was injured but helped the victim escape and survived myself. **So, you see, in a sense by saving my life Andrey saved another two.**

Your Honor, Andrey is a kind, sensitive and tender man, I am certain he will not survive prison, and if he does physically, certainly not mentally. He is not a violent or a dangerous man. He is a loving and caring son, father, partner to another lifelong friend of mine, brother, uncle, and friend. I beg you to open your heart and have mercy for Andrey, for his family, for me, for all of us to whom losing Andrey or even a part of him will be a devastating blow. **In this great and fair country of ours where anything is possible, I hope for mercy.**

Sincerely and with hope,

Leonid (Leo) Volobrynskyy.

Letter of Anton Serikov

To:

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken,

My name is Anton Serikov, I am an investment management professional and a CFA charterholder with over 15 years of experience of managing assets while working at several leading Wall Street firms over the course of my career. I am writing you today at the request of a close family friend, Andrey Kukushkin. I met Andrey through a close family friend almost 20 years ago and have maintained a close relationship with him and his family ever since. Throughout this time Andrey has shown himself to be a caring, hardworking individual always striving to support his entire family and always willing to lend a helping hand to his friends.

The full extent of Andrey's character and caring personal nature was on display on a recent holiday trip that I was invited to by Andrey and his fiancé earlier this year. I am an individual with a severe mobility impairment (paraplegia) that forces me to use a wheelchair to get around. This imitation has never been an impediment in my relationship with Andrey and he has always volunteered to help in anyway possible and insisted that I participate in every activity on our trips.

This recent trip was to the Heavenly Ski Resort located on the shores of Lake Tahoe. Despite my disability, I continue to be an avid skier, though this requires adaptive equipment and help from able-bodied individuals, which is why I typically ski with adaptive programs such as the Disabled Sports of Eastern Sierra. On this recent trip Andrey insisted on providing any assistance necessary, including carrying me up and down stairs whenever ramps were not available. Andrey also remained by my side throughout the trip to ensure my safety and enjoyment, even when this meant not spending time with the rest of our group or foregoing enjoyment of more challenging terrain that would be beyond my abilities.

Beyond his attention to me, Andrey also played the role of a shepherd for the rest of the group, making sure that everyone in our party was safe and accounted for the entire time. To me, this demonstrates the strength of Andrey's character and his willingness to sacrifice his personal enjoyment for the benefit of others. His strong sense of responsibility to his friends and family was on full display during that trip, but it is important to note that those same qualities characterize him on a day-to-day basis in everyday life as well. I humbly ask that you consider the important role Andrey plays in supporting his friends and family in your decision as to his fate.

Sincerely,

Anton Serikov



10.31.2021

Letter of Oksana V. Kotyrlo

Oksana V. Kotyrlo



November 1, 2021

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

RE: ANDREY KUKUSHKIN

Dear Judge Oetken:

My name is Oksana Kotyrlo, I am an ex-wife of Stanislav Kukushkin, a brother of Andrey Kukushkin. I am writing this letter at Andrey Kukushkin's request in connection with his sentencing. I am a homeschooling mother of three beautiful children, ages 13, 11 and 5 and a piano teacher. I've met Andrey for the first time around fall in 1999 through his brother Stanislav and known him for over 21 years.

I remember my first impression of Andrey was that he was a loving brother to Stanislav and a hard-working young gentleman. At some point of his life, he has been giving tennis lessons to young kids and often times I was present at his lessons. I remember being quite impressed with his teaching abilities and how effectively he communicated and interacted with children. His students loved him and enjoyed taking lessons from him; moreover, some of them turned out to be very successful tennis players and honorable human beings. Recently, I've met one of the girls who was one of the Andrey's students and she shared with me her success in becoming a medical provider. As a teacher, Andrey was at all times efficient, demanding, strict, yet fun and energizing. It was interesting to watch how easily he could find pathways to each student individually and encourage them to work to the best of their capabilities. He inspired his students to pursue their dreams and many of them still keep in touch with him.

I also remember the time when Andrey became a daddy to a handsome baby boy [REDACTED]. He was extremely happy and proud to become a father and worked very hard to support his family and provide for them the best he could. Andrey values education and all-round development of children; therefore, he provided [REDACTED] with environment where he could learn several languages as well as attend extra-curriculum activities. Andrey has always been supportive of his son and encouraged his academic education as well as his physical and mental growth. Despite his busy schedule he makes time to spend with his son and often brings him to our home so that cousins could spend time together as a family and get to know each other better. [REDACTED] is a wonderful kid who is always polite, courteous and gentle and I enjoy having him over whenever possible.

Andrey greatly prioritizes his family and friends. He cares for people who surround him and never turns away those who are in need of his support and help. He is very kind and generous person who is eager to help out however he can. My children absolutely love Andrey and they consider him one of their best uncles. He often includes them in his plans and does fun activities together, such as, attending museums, aquariums, hiking, swimming, skiing, ice-skating, playing basketball and tennis of course. Children say that he is very fun and interesting to be around and they are eager to spend time with him. Despite my separation with Stanislav, Andrey and I never lost connection and continue to spend time together as usual celebrating holidays, birthdays, attending special family events, vacationing together while creating wonderful unforgettable memories.

For many years I witnessed how gentle Andrey is towards his parents and how caring and loving he's been to them. Andrey shows great concern whenever his parents are sick or going through difficult time, he will put his work aside and make himself available every time they need him. He'll be the first one taking them to the doctor's office, caring for them and fulfilling their needs.

Not very long ago my father had a [REDACTED] I brought him home while he still was under the influence of strong painkillers, he couldn't walk at all and I needed to get him from the car to the house. I was concerned how will I get him in since he is way too heavy for me. Luckily for me Andrey was visiting that day and he carried my dad from the car to the bedroom, carefully laid him down so he could rest. If Andrey wasn't around, I would have had a terrible time and my dad would have to wait a long time in a car post-surgery until I could get someone to help. Family relationship is extremely important to Andrey and he will go above and beyond to keep his family members happy.

In conclusion, I would like to kindly ask the Honorable Judge Oetken and the Court for leniency towards Andrey's final sentence. Please consider my petition as I whole-heartedly believe that Andrey deserves a second chance and he will demonstrate his respect towards the U.S. laws in the years to come. I've always perceived Andrey as a kind, down to earth, honest and trustworthy person. For all these years I've considered him a close friend and a big brother who continually supported me and my children in the time of need and in

happy moments. He is a caring son, wonderful brother, loving father, great friend and beloved uncle to my three kiddos.

Respectfully,

Oksana Kotyrlo



Letter of Stanislav Kukushkin

Stanislav Kukushkin

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken,

My name is Stanislav Kukushkin. I am a project manager at KKM Management, LLC – the company founded by my brother. I am writing this letter on behalf of my brother, Andrey Kukushkin.

As far as I remember myself, Andrey, along with my parents, was major support for me, especially during the stressful period of cultural assimilation to the new life in the US after our family emigrated from the former USSR in 1993.

Although I am a grown-up man now and a father of four, I won't have made it without my older brother looking after me, guiding me through difficult periods of adolescence with love, personal example, and relentless optimism and belief that this country opened unlimited opportunities to success for anyone with strong work ethics and straight moral compass – the lesson that I took to heart and for which I remain deeply grateful.

This readiness to help, to shove the shoulder to anyone who needs it, has won Andrey hundreds of friends both in community and all over the world. He is well loved and respected by his family, friends, co-workers, and just anyone he met.

[REDACTED]
[REDACTED]
[REDACTED] my son
[REDACTED] was born, which is why I cannot devote as much time and effort to my parents as I would like and as much as they need in this difficult situation. Andrey is the only help and support. It's impossible to overestimate how much help he is providing now. All

the worries of [REDACTED]. As of right now he is in the process of remodeling the house of my parents [REDACTED]. While supporting our mother and father morally, he runs the majority of errands that used to be my dad's chores. Soon our [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] My dad is a large man, so my mother simply cannot physically do it on her own. Although doctors say that there might be a chance of recovery, without Andrey's daily help this chance will most certainly perish.

Your Honor, I beg you to show mercy and give [REDACTED]
[REDACTED] and Andrey to teach his nephew to play tennis in the same way he taught me and dozens other folks children. By showing leniency and mercy to the person who made a mistake, you will save not just one person, but an entire family. Please do not deprive my parents of the only support they have.

Your Honor, even if my brother has made a mistake, I know that he did it without malice, and also that his help, not only to his family, but to society, is invaluable. He will be able to do many more good things to people, as well as give my father the opportunity to move on his own feet and live many more happy years. I appeal to your humanity and beg you for mercy, and together with me my family asks of you the same - mother, father and my children, my little son, who, when he grows up, will be grateful to you that you did not deprive him of his uncle, and grandfather.

With greatest respect,

Stanislav "Stanley" Kukushkin

Letter of Peter Rivelis

J. Paul Oetken
US District Judge
Southern District of NY
500 Pearl Street
NY, NY 10007-1312

Re: Andrey Kukushkin

To: The Honorable Judge

I have known Andrey Kukushkin as a good friend and neighbor for over 25 years. I was both troubled and surprised to hear about his recent case as he has always been a rather solid person. It is for this reason I'm happy to write a letter of reference for Mr. Andrey Kukushkin regarding this matter. I understand the seriousness of this matter however, hope the court will show some leniency.

Andrey Kukushkin has always been an upright character in the community. In our friendship, he has really been there for me, especially when the company I worked for closed. He made it a point to be there and show a significant of support during a sudden and arduous job search. It was Andrey that was a source of camaraderie for both me and my family. He was truly been a good friend over the years.

In addition to our friendship, he is a usually upstanding member of the neighborhood by giving free tennis lessons to underserved kids, organized sports activities and summer camps. While it's unfortunate that he has made some bad decisions, thus resulting in this case. While I was surprised to hear of the misconduct, it comes as no surprise that he is ready to accept responsibility for his actions. I believe that as we move forward, he will emerge a better person in short. Andrey Kukushkin expressed deep sense of remorse in making such a serious mistake and I believe in his ability to pay his debt to society.

It is my sincere hope that court takes this matter into consideration at the time of sentencing. Despite the current case, I still believe Andrey Kukushkin to be an honorable individual, a valuable member of my community and a good human being.

Sincerely,

Peter Rivelis

Letter of Igor Kogan



10/28/2021

To The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken,

I'm writing this letter with a heavy heart as the person that I admire and respect professionally and socially, and whom I consider one of my closest friends, is being sentenced and punished for his overly human flaw of trusting people.

My name is Igor Kogan and my relationship with Andrey Kukushkin extends back to 1991 when I met him for the first time in San Francisco. Though a few years apart in age, we found that we had many mutual friends and shared similar sentiment on a spectra of social and cultural topics. His open and kind nature was captivating, and in a short time being in San Francisco, Andrey made friends and acquaintances throughout the city. It was not a surprise that he started a tennis school for kids since he has always been able to passionately engaged children, which was puzzling to me at the time. Later, I realised that it was the warmth and the fatherly-like care over his younger brother that had extended to to other kids.

Our paths diverted for a while when Andrey got involved in the financial sector and moved to Europe and we met only occasionally. Even then, Andrey was very attentive and eager to help, which I came to expect of him as a matter of fact. When a business opportunity came up, Andrey invited me to fulfil an

engineering position in his company. It was rather a leap of faith on his behalf as he was not fully aware of my engineering skills on a professional level. Though it was habitual to Andrey, I believed that his good faith in people, their intentions and capabilities was an impediment to his otherwise excellent business skills.

Over the last 4 years, Andrey and I have worked very closely on a number of ongoing projects and I have not once witnessed any wrong doing from a legal or business perspective. He has always conducted his business affairs in an ethical and respectful manner. It was often curious to observe how the people that Andrey met in his personal and business lives tended to gravitate to his warm character and friendly demeanour, augmented by the eccentric personality.

Humans are endowed with a free will which is a prerequisite to any modern judicial system, whether it is common, civil, statutory or regulatory law. Our capacity to make free choices elevates humans over other biological systems but at the same time predisposes us to committing errors of judgment and deviating from the righteous path as we desperately trying to balance on a narrow ledge between chaos and order.

“To Freedom Condemned” was a testament by Jean Paul Sartre to the very same notion that most of our follies propagate from human’s liberty to make choices as we are faced with repercussions and live with regrets. However, intentions matter. If Andrey made a wrong choice, I believe, it was due to his virtue of having good faith in people rather than the vice of malintent.

Your Honor, I do think that many good people and society in general will benefit from leniency of your decision - your free choice to make the right judgement. Andrey’s heart is in the right place and his moral compass is intact.



Sincerely,
Igor Kogan

Letter of Gene Kristul

GENE KRISTUL






The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken:

I am writing this letter at Andrey's request in connection with his sentencing. I am a non-practicing attorney in the State of California as well as a California licensed real estate and mortgage broker, owning real estate and mortgage companies in San Francisco.

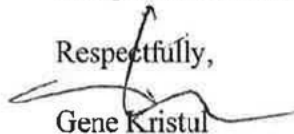
I met Andrey in San Francisco over twenty-five years ago. He has been a close friend to me and my family. My parents know his, Felix and Diana since childhood in the USSR. He used to work from my parent's mortgage banking company as an account executive for several years.

Andrey and I grew up together sharing many adventures and travels. I have watched him grow up into an ambitious, hard-working, loyal, dependable, honest, considerate adult. Andrey has always been amazing with kids. When younger, he taught kids tennis and operated a youth summer for many years. He is an amazing uncle to his brother Stanley's three kids and a super dad to his  son . He is always extremely supportive relating to  academics, sports and has travelled with him all over the world. Andrey currently lives with his girlfriend and her minor daughter and treats her like his own.

Andrey has always been very family oriented, a loving son, brother, uncle, father, and loyal friend. Professionally, he has always be very entrepreneurial giving maximum effort to every endeavor. He was successful while working for my parent's company, when he moved to Moscow to work for Renaissance Capital and when he came back to San Francisco and engaged in real estate and other business ventures. I know Andrey to be a man of integrity, respected by his associates and employees. I have never known him to engage in any unlawful conduct and was utterly shocked to hear of his arrest and the charges brought against him.

I respectfully and sincerely ask the Court for leniency and know that it would not have any cause to regret such decision.

Respectfully,



Gene Kristul

Letter of Elina Koman



Elina Komin
Director, Research and Development
Vitality Vector



The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken.

My name is Elina Komin and I am the Director of research and development for Vitality Vector. Being trained in several fields, I had the qualities Andrey Kukushkin was looking for in regards to his current projects. I was recruited to design commercial kitchens and several confectionery lines for Andrey Kukushkin's company. Since I met him some 30 years ago in San Francisco, I have known him to be a man of integrity and honesty, and I knew it would be a good fit for us to work together. We had several bumps in the road where collectively we came across business associates who were not so honest with their intentions and tended to delay the progress of the projects. It was obvious his generosity was being used for their gain. Andrey chose to see the best in them, always giving them a chance and patiently maintained a very high level of integrity and warmth.

One of the things that really drew me close to him professionally was how he handled a particular business arrangement. His company purchased a parcel of land with a few dwellings on it. This was supposed to become the company headquarters. The property was in foreclosure and there was a family living there that would be evicted in the process. Andrey said he couldn't let this happen, so he purchased the property and allowed the family to remain there and rearranged the construction plans so that the family's move would be the last thing on the timeline and even gave the previous owner a job with his company to help him financially. This is the Andrey I know and this is not an isolated event. I really appreciated these qualities in his character.

Andrey was usually the first one to reach out to his community with help, sympathy or a warm shoulder to lean on and has always been there for people morally and financially. Andrey always made sure to help everyone he crossed paths with, from his family to strangers because, "this is what you do" - he loves to say.



Andrey has an affinity for tennis and plays well. When he learned that my young son began practicing in the courtyard, he showed up one day with balls specifically for children and several tennis racquets and gave a 2 hour lesson to our son. They would go onto practice quite often and he would coach him with patience and professionalism. When he learned that more children in the neighbourhood were curious about tennis, he showed up with cases of balls and various sized racquets and was present with the kids sharing his time and skills even when he was extremely busy with his work. He always appreciated seeing the joy and smiles on their faces.

I am writing this letter because after I learned about Andrey's trial and learned of the offense, I wanted to make it known that I stand by him because I know in my heart that if he did something wrong, it was not done maliciously or with any attempts to break the law. This has never been in his character since I have known him personally and professionally. I have only known Andrey to be a law abiding, warm-hearted person who loves people and our great country. I do beg for your leniency in this matter from my heart and soul and know that it would not be a regret to the courts or to society.

With kindest and sincerest regards,

Elina Komin

Elina Komin

Letter of Alexander Yarmolinsky

Alexander Yarmolinsky, [REDACTED]

November 26th, 2021

The Honorable Judge J. Paul Oetken
United States District Judge
Southern District of New York
Daniel Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Andrey Kukushkin

Dear Judge Oetken,

My name is Alex Yarmolinsky, I am an executive for a real estate investment firm located in Palo Alto, CA. Andrey Kukushkin asked me to write this letter in connection with his sentencing.

I've known Andrey personally for over thirty years. We first met in 1990 at the Polytechnic University of Odessa in Ukraine; both as first year electrical engineering students. We had a lot in common and quickly became close friends. In the early nineties our families immigrated from Ukraine to San Francisco. As new immigrants we bonded even more since we had so much in common; learning English, building our lives in this new country, meeting new friends, trying to assimilate and like most other young people we were having fun doing it.

Since Andrey came to America, around the age of nineteen, he worked very hard, multiple jobs at a time and never complained. It wasn't always easy but he always maintained a positive attitude and wanted to succeed. I clearly remember a time when I just immigrated to San Francisco in May of 1992 and was having a hard time adjusting. Andrey's attitude was different and he wanted to help me. He had already been living in America for a few months, was working two jobs- one as a mover and the other as a babysitter- while sleeping on someone's floor, to save money. He couldn't stop talking about how amazing America is and the endless opportunities provided to those that work hard. His enthusiasm and dedication were uncanny and helped me realize that America was really the land of opportunities.

Andrey and I have been close friends for over three decades, in good times and bad times, and I would like to personally vouch for his character. Andrey loves his family, his son [REDACTED], his parents, his younger brother Stan, and his friends. He is always surrounded by people that enjoy his positive attitude and never ending optimism. I am confident that Andrey will do many

good deeds for his family and his community if he is allowed to stay free and will be more diligent in his business dealings. I am hoping that the Court will give Andrey as much leniency as possible.

Sincerely,

A handwritten signature in black ink, appearing to be 'AY' with a large, sweeping flourish extending to the right.

Alex Yarmolinsky